

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

EVAN M. PARKER,  
Plaintiff,

v.

DAMON ZAUAIA, et al.,  
Defendants.

Case No.: 3:24-cv-00300-MMD-CSD

**ORDER**

On July 10, 2024, pro se plaintiff Evan Parker, an inmate at Lyon County Detention Center, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff neither paid the full \$405 filing fee nor applied to proceed *in forma pauperis*. Plaintiff submitted a letter stating the jail staff have not responded to his request for financial documents. (ECF No. 1-2). But the next day, Plaintiff filed a completed financial certificate and an inmate trust fund account statement for the previous six-month period. (ECF No. 3). Plaintiff, however, did not submit an application to proceed *in forma pauperis* along with his financial documents. The Court will retain Plaintiff's financial documents. But if Plaintiff wants to proceed with this action, he must either file a completed application to proceed *in forma pauperis* on this Court's approved form or pay the full \$405 filing fee.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate

1 and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund**  
2 **account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–  
3 (2); Nev. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
4 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.  
5 See 28 U.S.C. § 1915(b).

6 It is therefore ordered that Plaintiff has **until August 12, 2024**, to either pay the full  
7 \$405 filing fee or file a completed application to proceed *in forma pauperis* on the Court's  
8 approved form with the inmate's two signatures on page 3.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
11 to refile the case with the Court, under a new case number, when Plaintiff can file a  
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is directed to send Plaintiff Evan Parker the approved form  
14 application to proceed *in forma pauperis* for an inmate and instructions for the same and  
15 retain the complaint (ECF No. 1-1) but not file it at this time.

16 DATED THIS 12th day of July 2024.

17  
18 

19  
20 UNITED STATES MAGISTRATE JUDGE  
21  
22  
23  
24  
25  
26  
27  
28